



**NEW MEXICO  
ENVIRONMENT DEPARTMENT**



**GROUND WATER QUALITY BUREAU (GWQB)  
GENERAL DISCHARGE PERMIT  
Issued under 20.6.2 NMAC**

**Facility Name:** Black Mesa Winery  
**GWQB Discharge Permit Number:** DP-1740  
**GWQB TEMPO AI Number:** 28622

**Permittee Name/Responsible Party:** Jerry Burd, Owner  
**Mailing Address:** P.O. Box 308  
Velarde, NM 87582

**Facility Location:** 1502 Hwy 68, Velarde

**County:** Rio Arriba County

**Permitting Action:** New

**NMED Permit Contact:** Matthew Smith, Geoscientist  
**NMED Contact Telephone Number:** (505) 827-2797

**EFFECTIVE DATE: DATE**

**TERM ENDS: EXP DATE**

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**MICHELLE HUNTER**  
Chief, Ground Water Quality Bureau

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**Date**

[Subsection H of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.I]

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## **PART A GENERAL INFORMATION**

### **A100 Introduction**

- A. The New Mexico Environment Department (NMED) Ground Water Quality Bureau (GWQB) issues this General Discharge Permit – New, for the discharge of commercial processing through a treatment and disposal system. The GWQB issues this General Discharge Permit to Jerry Burd (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Ground and Surface Water Protection Regulations, 20.6.2 NMAC. NMED's purpose in issuing this Discharge Permit is to control the discharge of water contaminants from Black Mesa Winery (facility) for the protection of groundwater and those segments of surface water gaining from groundwater inflow, for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health.
- B. The permittee is discharging up to 75 gallons per day (gpd) of effluent from Black Mesa Winery. This discharge or leachate may move directly or indirectly into groundwater of the State of New Mexico which has an existing concentration of 10,000 milligrams per liter (mg/L) or less of total dissolved solids (TDS) within the meaning of Section 20.6.2.3104 and Subsection A of 20.6.2.3101 NMAC. The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC.
- C. In issuing this Discharge Permit, NMED has determined that the requirements of Subsection C of 20.6.2.3109 NMAC have been or will be met. Pursuant to Section 20.6.2.3104 NMAC, it is the responsibility of the permittee to comply with the terms and conditions of this Discharge Permit; failure may result in an enforcement action(s) by NMED (20.6.2.1220 NMAC).

### **A101 Acronyms**

Abbreviation	Explanation	Abbreviation	Explanation
BOD <sub>5</sub>	biochemical oxygen demand (5-day)	NMED	New Mexico Environment Department
CFR	Code of Federal Regulations	NMSA	New Mexico Statutes Annotated
CFU	Colony Forming Unit	NO <sub>3</sub> -N	nitrate-nitrogen
Cl	chloride	NTU	nephelometric turbidity units
EPA	United States Environmental Protection Agency	TDS	total dissolved solids
gpd	gallons per day	TKN	total Kjeldahl nitrogen
LAA	land application area	total nitrogen	= TKN + NO <sub>3</sub> -N
LADS	land application data sheet(s)	TRC	Total Residual Chlorine
mg/L	milligrams per liter	TSS	total suspended solids

Abbreviation	Explanation		Abbreviation	Explanation
mL	milliliters		WQA	New Mexico Water Quality Act
MPN	Most Probable Number		WQCC	Water Quality Control Commission
NMAC	New Mexico Administrative Code		WWTF	Wastewater Treatment Facility

#### **A102 Terms of Permit Issuance**

- A. **Permit Duration** - Pursuant to WQA 74-6-5(I) and Subsection H of 20.6.2.3109 NMAC, the term of a Discharge Permit shall be for the fixed term of **five (5) years** from the effective date of the Discharge Permit.
- B. **Permit Renewal** - To renew this Discharge Permit, in accordance with 20.6.2.3106.G the permittee shall submit, an application for renewal, renewal and modification and \$100 filing fee at least 120 days before the discharge permit expires, unless closure of the facility is approved by NMED before that date.
- C. **Transfer of Ownership** - This Discharge Permit is being issued to Jerry Burd (permittee) as identified in **Section A100** above. The permittee, any listed owner(s) of record, and any [other] holder(s) of an expired discharge permit are responsible for complying with the conditions listed herein. If during the duration of this Discharge Permit a change in the list of responsible parties is required, transfer of ownership shall be completed as described further in Item D of **Part C101** of this Discharge Permit.

#### **A103 Applicable Regulations**

- A. **Scope** - This Discharge Permit applies solely for the regulation of process wastewater or stormwater generated as a result of the facility operations and does not include regulation of domestic wastewater at the facility. Domestic wastewater shall be treated or disposed of in accordance with a Liquid Waste Permit issued pursuant to 20.7.3 NMAC
- B. The discharge from the dairy facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.
- C. Groundwater quality as observed in on-site monitoring wells is subject to the criteria of Sections 20.6.2.3101 and 20.6.2.3103 NMAC unless otherwise specified in this Discharge Permit.
- D. Complying with the applicable requirements of 20.6.2 NMAC does not relieve a facility's owner, operator or permittee from complying with the requirements of other applicable local, state and federal regulations or laws.

#### **A104 Facility: Documented Hydrogeologic Conditions**

Effective Date: \_\_\_\_\_

- A. Groundwater most likely to be affected at this dairy facility is at a depth of approximately 17 feet and had a pre-discharge total dissolved solids concentration of approximately 338 milligrams per liter.

## **PART B FACILITY SPECIFIC REQUIREMENTS**

### **B100 Facility: Authorized Discharge**

- A. The activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics of the discharge are briefly described as follows:
1. The Permittee is authorized to discharge up to 75 gpd of commercial processing wastewater through a underground storage tank followed by surface disposal up to 0.5 acres.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection C of 20.6.2.3109 NMAC]

### **B101 Facility: Conditions for Operation**

- A. The conditions of this Permit shall be complied with by the Permittee and are enforceable by GWQB.

#	Terms and Conditions
1.	The permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC.  [Subsection C of 20.6.2.3109 NMAC]
2.	The permittee shall operate in a manner such that standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC are not violated.  [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]
3.	If the GWQB or the Permittee identifies any failures in Permit to comply with 20.6.2 NMAC not specifically noted herein, GWQB may require the Permittee to submit a corrective action plan with a schedule for completion of corrective actions to address the failure. Additionally, GWQB may require the Permittee to submit a discharge permit modification to address failure(s) in the permit or both.  [20.6.2.3107.A NMAC, 20.6.2.3109.E NMAC]
4.	The permittee shall implement industry accepted best management practices throughout the term of the Discharge Permit. Additionally, the permittee shall maintain all infrastructure (i.e. irrigation lines, storage tanks/impoundments, berms, meters) necessary to transfer, store or collect, distribute, apply, and contain process wastewater for the duration of this discharge permit. Infrastructure shall be inspected on a regular basis and repaired or replaced as

#	Terms and Conditions
	necessary. Any solids generated on site shall be managed and disposed of in accordance with all local, state, and federal regulations.  [Subsection C of 20.6.2.3109 NMAC]
5.	Domestic wastewater generated at the facility shall not be co-mingled with wastewater generated in the processing area. [Subsection C of 20.6.2.3109 NMAC]
6.	Within 90 days following the effective date of this Discharge Permit ( <b>by DATE</b> ), the permittee shall install 18-inch to 24-inch berms around the vineyard area to prevent surface water run-on and run-off. Within 30 days of berm completion, the permittee shall submit documentation to NMED of berm installation consisting of a photographic documentation and a written description of the berm locations.  [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
7.	The permittee shall visually inspect the area above the underground storage tank monthly to ensure proper maintenance. Any conditions that indicate damage to the disposal system shall be corrected. Such conditions include, but are not limited to erosion damage, animal activity/damage, woody shrubs, or evidence of seepage. The permittee shall keep a log of the inspection findings and repairs. The log shall be made available to NMED upon request.  In the event of a failure of the disposal system, the permittee shall enact the contingency plan set forth in this Discharge Permit.  [Subsections A and D of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]

**B102 Facility: Monitoring and Reporting**

#	Terms and Conditions
1.	The permittee shall conduct the following monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit.  [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
2.	METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC.  [Subsection B of 20.6.2.3107 NMAC]

#	Terms and Conditions
3.	<p>Semi-annual monitoring shall be performed during the following periods and reports submitted to NMED as follows:</p> <ul style="list-style-type: none"> <li>• January 1<sup>st</sup> through June 30<sup>th</sup> – <b>due by August 1<sup>st</sup>; and</b></li> <li>• July 1<sup>st</sup> through December 31<sup>st</sup> – <b>due by February 1<sup>st</sup>.</b></li> </ul> <p>[Subsection A of 20.6.2.3107 NMAC]</p>
4.	<p>The permittee shall estimate the monthly volume of wastewater received by the wastewater treatment system by recording meter readings for the facility's water supply on a monthly basis and calculating the monthly and average daily usage volumes. The estimated monthly volume * (based upon meter readings) shall be used to calculate the average daily volume by the formula below.</p> $\text{estimated monthly volume} \div \text{number of days between readings} = \text{average daily volume}$ <p>Each month, the permittee shall make note of any significant uses of the water (e.g., irrigation, evaporative cooling or leaks) that do not contribute to the volume of wastewater received.</p> <p>The monthly meter readings, estimated monthly and average daily volumes, and notes and estimated volume of significant uses shall be submitted to NMED in the semi-annual monitoring reports.</p> <p>* Should more than one flow meter exist for the facility's water supply, the permittee shall calculate the estimated monthly volume for the facility by adding the estimated monthly volume for each meter. This summation should be completed prior to calculating the average daily volume for the facility.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>
5.	<p>The permittee shall collect composite wastewater samples from the underground storage tank twice during peak production (August through November) The first sample shall be collected within two weeks of the commencement of peak production. The second sample shall be collected within two weeks of the anticipated cessation of peak production. Additionally, one sample shall be collected during the non-peak production (January through June).</p> <p>The wastewater sampling shall be performed according to the following procedure:</p> <ol style="list-style-type: none"> <li>Wastewater samples shall be collected from the underground storage tank <u>one</u> hour after the start of production, <u>three</u> hours after the start of production, and <u>five</u> hours after the start of production;</li> <li>A single composite sample shall be created by combining equal volumes of the three grab samples; and</li> <li>The composite sample shall be analyzed for <b>NO<sub>3</sub>-N, TKN, TDS, BOD<sub>5</sub> and pH</b>. The permittee shall record the sampling date, time production started, time of the first grab</li> </ol>

#	Terms and Conditions
	<p>sample, time of second grab sample, time of third grab sample, and time production ended on a Wastewater Sampling Log (copy enclosed).</p> <p>The Wastewater Sampling Log, analytical results and laboratory reports shall be submitted to NMED in the semi-annual monitoring reports.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsections C and H of 20.6.2.3109 NMAC]</p>

**B103 Facility: Contingency Plan**

#	Terms and Conditions
1.	<p>In the event that a groundwater quality standard identified in Section 20.6.2.3103 NMAC is exceeded in groundwater as a result of this discharge during the term of this Discharge Permit, upon closure of the facility or during the implementation of post-closure requirements, the permittee shall submit to NMED a corrective action plan that proposes, at a minimum, source control measures and an implementation schedule. The plan shall be enacted as approved by NMED.</p> <p>The permittee may be required to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]</p>
2.	<p>If information should become available to NMED that the permittee is violating the agreed upon terms and conditions of the General Discharge Permit, the permittee may be required to modify their General Discharge Permit or the status the General Discharge Permit may be revoked and upgraded to a Discharge Permit</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
3.	<p>In the event that an inspection of the underground storage tank reveals failure, the following contingency plan shall be enacted.</p> <ol style="list-style-type: none"> <li>Within 24 hours following the discovered failure, the permittee shall: <ol style="list-style-type: none"> <li>notify NMED of the failure in accordance with the notification requirements described in the Contingency Plan for unauthorized discharges; and</li> <li>restrict public access to the area.</li> </ol> </li> <li>The permittee shall conduct a physical inspection of the treatment and disposal system to identify additional potential failures.</li> <li>The permittee shall propose actions to address the failure and methods of correction by submitting a corrective action plan to NMED for approval within 15 days following the discovered failure. The corrective action plan shall include a schedule for completion of corrective actions and the permittee shall initiate implementation of the plan following</li> </ol>



#	Terms and Conditions
	<p>approval by NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]</p>
4.	<p>In the event that a release (commonly known as a “spill”) occurs that is not authorized under this Discharge Permit, the permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below.</p> <p>Within <u>24 hours</u> following discovery of the unauthorized discharge, the permittee shall verbally notify NMED and provide the following information.</p> <ul style="list-style-type: none"><li>a) The name, address, and telephone number of the person or persons in charge of the facility, as well as of the owner and/or operator of the facility.</li><li>b) The name and address of the facility.</li><li>c) The date, time, location, and duration of the unauthorized discharge.</li><li>d) The source and cause of unauthorized discharge.</li><li>e) A description of the unauthorized discharge, including its estimated chemical composition.</li><li>f) The estimated volume of the unauthorized discharge.</li><li>g) Any actions taken to mitigate immediate damage from the unauthorized discharge.</li></ul> <p>Within <u>one week</u> following discovery of the unauthorized discharge, the permittee shall submit written notification to NMED with the information listed above and any pertinent updates.</p> <p>Within <u>15 days</u> following discovery of the unauthorized discharge, the permittee shall submit a corrective action report/plan to NMED describing any corrective actions taken and/or to be taken relative to the unauthorized discharge that includes the following information.</p> <ul style="list-style-type: none"><li>a) A description of proposed actions to mitigate damage from the unauthorized discharge.</li><li>b) A description of proposed actions to prevent future unauthorized discharges of this nature.</li><li>c) A schedule for completion of proposed actions.</li></ul> <p>In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, the permittee may be required to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC.</p>

#	Terms and Conditions
	<p>Nothing in this condition shall be construed as relieving the permittee of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC.</p> <p>[20.6.2.1203 NMAC]</p>

**B104 Facility: Conditions for Closure**

#	Terms and Conditions
1.	<p>In the event the facility, or a component of the facility, is proposed to be permanently closed, upon ceasing discharge, the permittee shall perform closure measures.</p> <p>Within <u>90 days</u> of ceasing discharge to the underground storage tank system (or closed system components), the permittee shall complete the following closure measures:</p> <ul style="list-style-type: none"><li>a) Plug all lines leading to and from the closed system so that a discharge can no longer occur.</li><li>b) Wastewater, septage, and grease interceptor waste shall be pumped from the system components (e.g., septic tanks, grease trap/interceptors, lift stations, dosing chambers, distribution boxes) and it shall be contained, transported, and disposed of in accordance with all local, state, and federal regulations, including 40 CFR Part 503. The permittee shall maintain a record of all wastes transported for off-site disposal.</li></ul> <p>Within <u>180 days</u> of ceasing discharge to the underground storage tank system (or closed system components), the permittee shall complete the following closure measures:</p> <ul style="list-style-type: none"><li>a) Remove all lines leading to and from the closed system(s) or permanently plug them and abandon them in place.</li><li>b) Remove or demolish all closed underground storage tank, grease trap/interceptors, lift stations, dosing chambers, distribution boxes or other system(s) components (with the exception of leachfields) and re-grade the area with suitable fill to blend with surface topography to promote positive drainage and prevent ponding.</li></ul> <p>When all closure and post-closure requirements have been met, the permittee may submit a written request for termination of the Discharge Permit to NMED.</p> <p>[Subsection A of 20.6.2.3107 NMAC, 40 CFR Part 503]</p>

**PART C GENERAL TERMS AND CONDITIONS**

Effective Date: \_\_\_\_\_

**C100 Legal**

- A. Nothing in this Discharge Permit shall be construed in any way as relieving the permittee of the obligation to comply with all applicable federal, state, and local laws, regulations, permits or orders [20.6.2 NMAC].
- B. Pursuant to Section 20.6.2.3109 NMAC, NMED reserves the right to require a Discharge Permit Modification in the event NMED determines that the requirements of 20.6.2 NMAC are being or may be violated or the standards of Section 20.6.2.3103 NMAC are being or may be violated. This may include a determination that structural controls and/or management practices approved under this Discharge Permit are not protective of groundwater quality, and that more stringent requirements to protect groundwater quality may be required by NMED. The permittee may be required to implement abatement of water pollution and remediate groundwater quality.
- C. Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to \$15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to \$10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [74-6-10 WQA, 74-6-10.1 WQA]
- D. Pursuant to WQA 74-6-10.2(A-F), criminal penalties shall be assessed for any person who knowingly violates or knowingly causes or allows another person to:
1. Make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or required to be maintained under the WQA;
  2. Falsify, tamper with or render inaccurate any monitoring device, method or record required to be maintained under the WQA; or
  3. Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation, is subject to felony charges and shall be sentenced in accordance with the provisions of Section 31-18-15 NMSA 1978.
- E. Prior to the transfer of any ownership, control, or possession of this permitted facility or any portion thereof, the permittee shall notify the proposed transferee in writing of the existence of this Discharge Permit and include a copy of this Discharge Permit with the notice in accordance with 20.6.2.3111 NMAC.

Effective Date: \_\_\_\_\_

- F. Pursuant to WQA 74-6-5(o), the Permittee has a right to appeal the conditions and requirements as outlined in this Discharge Permit through filing a petition for review before the WQCC. Such petition shall be in writing to the WQCC within thirty (30) days of the receipt of this Discharge Permit. Unless a timely petition for review is made, the decision of NMED shall be final and not subject to judicial review.

### **C101 General Inspection and Entry Requirements**

- A. Nothing in this Discharge Permit shall be construed as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other applicable law or regulation. [20.6.2.3107 NMAC, 74-6-9(B) & (E) WQA]
- B. The permittee shall allow the Secretary or an authorized representative, upon the presentation of credentials, to [20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]:
1. Enter at regular business hours or at other reasonable times upon the permittee's premises or other location where records must be kept under the conditions of this Discharge Permit, or under any federal or WQCC regulation.
  2. Inspect and copy, during regular business hours or at other reasonable times, any records required to be kept under the conditions of this Discharge Permit, or under any federal or WQCC regulation.
  3. Inspect, at regular business hours or at other reasonable times, any facility, equipment (including monitoring and control equipment or treatment works), practices or operations regulated or required under this Discharge Permit, or under any federal or WQCC regulation.
  4. Sample or monitor, at reasonable times for the purpose of assuring compliance with this Discharge Permit or as otherwise authorized by the WQA, any effluent, water contaminant, or receiving water at any location before or after discharge.

### **C102 General Record Keeping and Reporting Requirements**

- A. The permittee shall maintain a written record of the following:
1. Amount of wastewater, effluent, leachate or other wastes discharged pursuant to this Discharge Permit. [20.6.2.3107.A NMAC]
  2. Operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; to measure flow rates, to monitor water quality, or to collect other data required by this Discharge Permit. Per Section A of 20.6.2.3107 NMAC, this record shall include:
    - a. Repair, replacement or calibration of any monitoring equipment
    - b. Repair or replacement of any equipment used in the permittee's waste or wastewater treatment and disposal system.
  3. Any spills, seeps, and/or leaks of effluent, and of leachate and/or process fluids not authorized by this Discharge Permit. [20.6.2.3107.A NMAC]

Effective Date: \_\_\_\_\_

- B. The permittee shall maintain at its facility a written record of all data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit. The following information shall be recorded and shall be made available to NMED upon request:
1. The dates, exact place and times of sampling or field measurements;
  2. The name and job title of the individuals who performed each sample collection or field measurement;
  3. The date of the analysis of each sample;
  4. The name and address of the laboratory and the name and job title of the person that performed the analysis of each sample;
  5. The analytical technique or method used to analyze each sample or take each field measurement;
  6. The results of each analysis or field measurement, including raw data;
  7. The results of any split sampling, spikes or repeat sampling; and
  8. A description of the quality assurance (QA) and quality control (QC) procedures used.
- C. The permittee shall furnish to NMED, within a reasonable time, any documents or other information which it may request to determine whether cause exists for modifying, terminating and/or renewing this Discharge Permit or to determine compliance with this Discharge Permit. The permittee shall also furnish to NMED, upon request, copies of documents required to be kept by this Discharge Permit. [20.6.2.3107.D NMAC, 74-6-9(B) & (E) WQA]

**C103 Modifications and/or Amendments**

- D. The permittee shall notify NMED of any changes to the permittee's wastewater treatment and disposal system, including any changes in the wastewater flow rate or the volume of wastewater storage, or of any other changes to operations or processes that would result in any significant change in the discharge of water contaminants. The permittee shall obtain NMED's approval, as a modification to this Discharge Permit pursuant to Subsections E, F, or G of 20.6.2.3109 NMAC, prior to any increase in the quantity discharged, or any increase in the concentration of water contaminants discharged, above those levels approved in this Discharge Permit [20.6.2.3107.C NMAC].
- E. The permittee shall file plans and specifications with NMED for the construction of a wastewater system and for proposed changes that will change substantially the quantity or quality of the discharge from the system. The permittee shall file plans and specifications prior to the commencement of construction. Changes to the wastewater system having a minor effect on the character of the discharge shall be reported as of January 1 and June 30 of each year to NMED. [20.6.2.1202 NMAC]